

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
 v.) Criminal No. 04-116
)
STEPHEN KEMP)

MOTION TO REQUEST CONDITIONAL RELEASE

AND NOW comes, the United States of America, by and through its attorney, Bruce J. Teitelbaum, Special United States Attorney for the Middle District of Pennsylvania, and pursuant to Title 18, United States Code, Section 4243(f), respectfully moves this court to issue and order authorizing the conditional release of the defendant Stephen Kemp from the custody of the United States Bureau of Prisons to the supervision of the United States Probation Office for the Western District of Illinois, and in support therefore states as follows:

1. On June 6, 2005, the defendant Stephen Kemp was found not guilty only by reason of insanity as to the offense of sending a threatening communication.

2. On June 6, 2005, the defendant was ordered pursuant to Title 18, United States Codes, Section 4243(e) to be committed to the custody of the Attorney General pending the determination that his release or proscribed treatment plan would not constitute a risk of bodily injury or serious property damage to another.

3. As is stated in the attached Certificate of Improved Mental Condition, prepared by the Federal Medical Center in Butner, North Carolina, such a determination, together with an appropriate treatment plan has been made.

WHEREFORE, the United States with the consent of counsel for the defendant Stephen Kemp respectfully requests that this Honorable Court enter an Order authorizing Mr. Kemp's release from custody under the conditions detailed in the attached certificate.

Respectfully submitted,

By: s/Bruce J. Teitelbaum
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within pleading was served by U.S. Mail to and upon the following:

Steve Greenberg, Esquire
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Chicago, IL 60607

s/Bruce J. Teitelbaum
BRUCE J. TEITELBAUM
Special U.S. Attorney

Dated: May 19, 2006